

Approved March 2, 1988
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION

The meeting was called to order by Chairman Denise Apt at
Chairperson

3:30 ~~xxx~~ am/p.m. on February 17, 1988 in room 519-S of the Capitol.

All members were present except:

Representative David Miller, Excused
Representative Marvin Smith, Excused

Committee staff present:

Avis Swartzman, Revisor of Statutes' Office
Ben Barrett, Legislative Research
Thelma Canaday, Secretary to the Committee

Conferees appearing before the committee:

Representative Carol Sader
Dr. Walter Browe, Interim president at Butler Community College
Mr. Richard Funk, Kansas Association of School Boards
Mr. Kenneth Rogg, Schools for Quality Education
Mr. Gerald Henderson, United Schools Administrators

The meeting was called to order by Chairman Apt and hearings on H.B. 2678, relating to community colleges and the composition of boards of trustees thereof, were opened.

Representative Carol Sader spoke in support of H.B. 2678 stating a decision making board is at a disadvantage with an even number of board members. (Attachment 1)

Dr. Walter Browe testified in favor of H.B. 2678 citing major advantages of a seven member board. (Attachment 2)

After a brief period of questions hearings on H.B. 2678 were declared closed by the chairman.

Hearings on H.B. 2725, an act concerning the teaching of Kansas history, were reopened by the chairman.

Richard Funk testified in opposition to H.B. 2725. Mr. Funk stated the issue is not about teaching Kansas history but rather that not enough Kansas history is taught. He believes this should not be a mandated curricula and urged the committee to report H.B. 2725 unfavorably. (Attachment 3)

Kenneth Rogg spoke in opposition to H.B. 2725. Mr. Rogg stated no assessment has been made to see how well the schools of Kansas are teaching Kansas history. He believes funneling in facts will not promote a feeling of heritage. Mr. Rogg stated if this is mandated a lot of courses will be disrupted.

Gerald Henderson testified against H.B. 2725 and offered data from a survey showing of 214 districts surveyed all but three offered Kansas history. Mr. Henderson feels specific curriculum decisions should be left to local boards of education. (Attachment 4)

Hearings on H.B. 2725 were declared closed by the chairman.

The meeting was adjourned at 4:10 p.m.

The next meeting will be February 18, 1988 at 3:30 in Room 519-S.

CAROL H. SADER
 REPRESENTATIVE, TWENTY-SECOND DISTRICT
 JOHNSON COUNTY
 8612 LINDEN DR.
 SHAWNEE MISSION, KANSAS 66207
 (913) 341-9440



TOPEKA

HOUSE OF
 REPRESENTATIVES

February 17, 1988

COMMITTEE ASSIGNMENTS
 MEMBER: ECONOMIC DEVELOPMENT
 JOINT COMMITTEE ON ECONOMIC
 DEVELOPMENT
 PENSIONS, INVESTMENTS AND BENEFITS
 PUBLIC HEALTH AND WELFARE

TESTIMONY BEFORE THE HOUSE EDUCATION COMMITTEE ON HB 2678

My name is Carol Sader. I presently serve as State Representative for the 22nd Legislative District, but I have previously served on the Board of Trustees of Johnson County Community College from 1981-1985 and served as Chairman of that Board from 1983-1985. During that time, I also served as Chairman of the Trustee Section of the Kansas Association of Community Colleges.

I appear before you today in support of HB 2678 which would increase the number of members on a Community College Board of Trustees from six to seven. During my years of service as a Community College Trustee, the disadvantages of having an even-number of members on a decision-making board were very apparent. The Community College Board of Trustees is statutorily composed of six members. To deal with the unnecessary difficulties which the even number presents, some of the Boards have adopted a policy wherein a tie vote is a "no" vote. This course clearly disenfranchises one half of the members of the Board and all of the constituents whom they represent. Other Boards have chosen to deal with the problem by precluding the Chairman from voting. This, too, clearly disenfranchises one elected member of the Board and the constituents whom he or she represents.

HB 2678 would cure the problem. Not having done so earlier was, in all likelihood, a legislative oversight in view of the fact that the legislature increased the size of the Boards of our local School Districts from six to seven some time ago.

HB 2678 would not in any way disturb the present "district" or "at-large" methods of election in any Community College District. It would simply add a seventh member to each Board with the seventh member to be elected at-large in each Community College District.

Psychologists of group dynamics inform us that for optimum efficiency, a decision-making board of this type should number seven or nine. In the very short time that I have been in the Legislature, I have learned at least one thing: that opportunities to make significant improvements rarely present themselves without a fiscal note attached. HB 2678 presents such an opportunity and I respectfully request that you report it favorably for passage.

*Attachment 1
 House Education 2/17/88*

February 16, 1988

Re: House Bill Number

2678

Apt, Chairperson

Crumbaker, Vice-Chairperson

Amos, Baker, Flottman, Lowther, Miller, D., Miller, R. D., Pottorff, Ramirez, Smith, Williams; Reardon, Ranking Minority Member; Blumenthal, Bowden, Branson, Dean, Harder, Hensley, Laird, Larkin.

Dear Members of the House Committee on Education:

My name is Walter Browe and I have been the Interim President of Butler County Community College since September, and will be there until the new President arrives in about two months. Last year I was Interim President at North Idaho College for six months. Before that I was President at Lake Michigan College in Benton Harbor, Michigan for eight years, until I retired in 1985.

The reason I asked to appear before you today is that I feel so strongly that Bill No. 2678, increasing the number of trustees on community college boards in Kansas from six to seven, should be passed - with VIGOR and by an overwhelming number of votes!

At Butler County Community College we have six trustees. At North Idaho College we had five trustees. And in Michigan we have seven member boards of trustees for community colleges. One of the reasons that Michigan now has seven member boards is that when the community college act was passed in Michigan in 1963 the boards consisted of six members each. But Lake Michigan College -- before I was there coincidentally -- had so many three-three tie votes by the board that it was virtually impossible to make any progress. Because of this, the Michigan Legislature passed a law requiring community college boards to have seven members.

This arrangement has worked very well in Michigan and I am certain would improve community colleges in Kansas as well. The major advantages of a seven member board are that:

1. There cannot be a tie vote when all members are present. This encourages, promotes, and facilitates action and growth.
2. There is greater citizen representation than a six member board provides.
3. Decisions can be made by a greater percentage of trustees in those cases when a trustee(s) is absent.

For these reasons, I respectfully urge you to pass House Bill # 2678 which will increase the number of trustees on community college boards from six to seven.

Thank you very much for letting me speak with you today, and thank you for all your hard work on this education committee.

*Attachment 2
House Education 2/17/88*

KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS

5401 S. W. 7th Avenue Topeka, Kansas 66606
913-273-3600

TESTIMONY ON H.B. 2725

by

Richard S. Funk, Assistant Executive Director
Kansas Association of School Boards

February 16, 1988

Madame Chairman and members of the committee, we appreciate the opportunity to appear today on behalf of the 302 members of the Kansas Association of School Boards. KASB opposes the provisions found in H.B. 2725.

The Delegate Assembly of the Kansas Association of School Boards long has had a policy (III, Sec. H, 1, p.4) which states: "KASB believes that the curriculum of the schools should be established by local boards of education and not by state statute." Governor Hayden apparently agrees with our position. Quoting from his 1988 Legislative Message (p. 35): "Tradition in Kansas education would suggest that local boards of education should make curriculum decisions" (emphasis added). House Bill 2725 proposes to establish a curriculum that state statute (K.S.A. 72-1101 - attachment) already imposes. We begin with two objections: H.B. 2725 will (1) mandate a curriculum that (2) is already mandated; but it goes further and deeper.

The Actual Issue

The issue is not about teaching Kansas history. All accredited elementary schools already do this. The issue is that Kansas elementary schools do not teach enough Kansas history. So the question is, "should the Kansas legislature mandate how much is enough?" The answer is No. The Kansas Association of School Boards has never opposed teaching Kansas history or Kansas heritage, but we oppose mandated curricula.

The Philosophical Issue

Since Kansas elementary schools do not teach enough Kansas history - how much is enough? House Bill 2725 says that five grades are enough for teaching Kansas history. Yet you heard three years ago and again today from schools that have integrated Kansas history into the total curriculum. You are led to believe that Kansas history is taught only on January 29th. That is patently absurd and has no basis of fact.

*Attachment 3
House Education 2/17/88*

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February 16, 1988

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The governor, in his 1988 Legislative Message refers to Kansas history, but yet addresses 1) Kansas heritage, 2) Kansas politics, and 3) colorful figures in Kansas history. I would suggest that line 0042 of H.B. 2725 be amended to include the word heritage and delete the word history - for that is what we are truly talking about - Kansas heritage.

Others have said it is essential Kansas students develop a pride in Kansas, yet I contend it is the adults first who need to develop this pride. For one flows to the other. It's the kids who hear the jokes about Kansas from the adults.

We are undergoing a new round of "legislated learning." This time we are being asked to add to our curricula "social" subjects. There is a price to be paid and it comes at the expense of the "academic" subjects. The reality is you shorten time available or drop that subject. Yet schools cannot lengthen the school day or school year nor change the number of class periods except by negotiating those issues.

The Opposition

Some have said we need a new law because it would take a Philadelphia lawyer to interpret K.S.A. 72-1101. I believe you can see for yourself that K.S.A. 72-1101 is very clear.

We are led to believe boards of education have local control in this matter. It's local control if you believe: "we'll tell you what you have to do in a non-essential academic matter and you can figure out how to do it."

We are all aware there is a lack of articulated curricular materials about Kansas heritage. There will be an increase of expenditures for curricular materials, with no fiscal assistance from the state.

We know of no Kansas public school having lost its accreditation since 1903 because it has not taught Kansas history. I don't believe the argument that the State Department of Education has not been doing its job of curricular enforcement. That cannot be documented or proven and is an absurd accusation. Unless, of course, a representative from the State Department of Education testifies to this committee that they have not been doing their job for over 80 years.

If our leaders feel that Kansas history is so important, why is the Kansas Museum of History being funded for FY 89 at \$1,340,150 when it was funded in FY 87 at \$1,437,333 and is funded FY 88 at \$1,757,204. Remember: "the museum program is responsible for the collection and interpretation of objects related to Kansas history." (The State of Kansas Budget - Fiscal Year 1989, pp. 7-11 and 7-12)

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Shortcomings of H.B. 2725

- 1) Line 0041-0042: Nowhere is "complete course of instruction" defined - but this is probably called "local control."
- 2) Line 0049-0050: "satisfactorily passed" v line 0083: "satisfactorily completed."
- 3) Nothing addresses continuing education for current teachers.
- 4) Nothing addresses out-of-state teaching applicants - makes recruiting somewhat difficult.
- 5) Special education students are not addressed - nor are they in current law.

Conclusion

What I have said today is not directed just at Kansas history. I believe we have reached our limits. Our schools are being asked to provide the "social" education of our students and at the same time we're being held accountable for the social education and academic preparation. This is the real problem. No one has really defined how this is to be accomplished - not within our present structure. No one has taken the leadership role, for no one can agree who should be taking the leadership role.

When will we begin to look at our Kansas schools as an investment in our future rather than as an annual expenditure?

Madame Chairman and members of the committee, I ask you to report H.B. 2725 unfavorably. I ask you to do this mostly because of the administrative problems that I've outlined, not because we must decide the philosophical considerations of Kansas heritage. I ask you to report H.B. 2725 unfavorably because it mandates something that already is mandated and being done by our schools. House Bill 2725 may make good politics, but it doesn't necessarily provide good education. Thank you.

72-1048a.

History: L. 1955, ch. 334, § 1; L. 1959, ch. 278, § 1; Repealed, L. 1969, ch. 353, § 13; May 1.

72-1048b.

History: L. 1955, ch. 312, § 1; Repealed, L. 1969, ch. 353, § 13; May 1.

72-1048c.

History: L. 1959, ch. 305, § 1; Repealed, L. 1961, ch. 322, § 2; June 30.

72-1048d.

History: L. 1961, ch. 322, § 1; Repealed, L. 1963, ch. 356, § 2; June 30.

72-1048e.

History: L. 1963, ch. 356, § 1; Repealed, L. 1965, ch. 403, § 2; May 10.

72-1048f.

History: L. 1963, ch. 375, § 1; Repealed, L. 1969, ch. 353, § 13; May 1.

72-1048g.

History: L. 1965, ch. 403, § 1; L. 1967, ch. 371, § 1; Repealed, L. 1969, ch. 353, § 13; May 1.

72-1048h.

History: L. 1965, ch. 425, § 1; Repealed, L. 1969, ch. 353, § 13; May 1.

72-1049.

History: L. 1945, ch. 294, § 3; L. 1947, ch. 361, § 3; L. 1955, ch. 313, § 1; Repealed, L. 1969, ch. 353, § 13; May 1.

72-1050.

History: L. 1945, ch. 294, § 4; L. 1947, ch. 361, § 4; L. 1949, ch. 363, § 1; L. 1965, ch. 404, § 1; Repealed, L. 1969, ch. 353, § 13; May 1.

72-1050a.

History: L. 1951, ch. 401, § 1; Repealed, L. 1969, ch. 353, § 13; May 1.

72-1050b.

History: L. 1951, ch. 400, § 1; Repealed, L. 1969, ch. 353, § 13; May 1.

72-1050c.

History: L. 1955, ch. 314, § 1; Repealed, L. 1969, ch. 353, § 13; May 1.

72-1050d.

History: L. 1955, ch. 334, § 2; Repealed, L. 1969, ch. 353, § 13; May 1.

72-1051 to 72-1053.

History: L. 1949, ch. 386, §§ 1 to 3; Repealed, L. 1969, ch. 353, § 13; May 1.

72-1054.

History: L. 1951, ch. 395, § 21; L. 1968, ch. 328, § 1; Repealed, L. 1970, ch. 279, § 1; July 1.

72-1055, 72-1056.

History: L. 1957, ch. 415, §§ 1, 2; Repealed, L. 1969, ch. 312, § 6; May 10.

72-1057, 72-1058.

History: L. 1957, ch. 415, §§ 3, 4; L. 1959, ch. 279, §§ 1, 2; Repealed, L. 1969, ch. 312, § 6; May 10.

72-1059 to 72-1061.

History: L. 1959, ch. 280, §§ 1 to 3; L. 1961, ch. 323, §§ 1 to 3; Repealed, L. 1969, ch. 312, § 6; May 10.

72-1062, 72-1063.

History: L. 1959, ch. 280, §§ 4, 5; Repealed, L. 1969, ch. 312, § 6; May 10.

72-1064 to 72-1070.

History: L. 1961, ch. 351, §§ 1 to 7; Repealed, L. 1969, ch. 312, § 6; May 10.

Article 11.—SCHOOL ATTENDANCE, CURRICULUM AND ACCREDITATION

72-1101. Required subjects in elementary schools. Every accredited elementary school shall teach reading, writing, arithmetic, geography, spelling, English grammar and composition, history of the United States and of the state of Kansas, civil government and the duties of citizenship, health and hygiene, together with such other subjects as the state board may determine. The state board shall be responsible for the selection of subject matter within the several fields of instruction and for its organization into courses of study and instruction for the guidance of teachers, principals and superintendents.

History: R.S. 1923, 72-1101; L. 1943, ch. 248, § 37; L. 1945, ch. 282, § 57; L. 1968, ch. 20, § 1; L. 1972, ch. 253, § 1; L. 1979, ch. 220, § 11; July 1.

Source or prior law:

L. 1861, ch. 76, art. 4, § 7; L. 1867, ch. 124, § 1; G.S. 1868, ch. 92, § 48; L. 1874, ch. 122, § 5; L. 1876, ch. 122, art. 5, § 1; L. 1877, ch. 170, § 1; L. 1903, ch. 435, § 1.



HB 2725
Testimony presented before the House Committee on Education
by Gerald W. Henderson, Executive Director
United School Administrators of Kansas

February 16, 1988

Madam Chairman and Members of the Committee:

United School Administrators of Kansas is not in opposition to the teaching of Kansas history in our schools. Our organization does, however, have a long standing position in favor of leaving decisions concerned with specific curriculum to local boards of education.

A less than completely scientific survey conducted by our office indicates that an overwhelming majority of Kansas districts offer Kansas history at some point in their curricula. Of the 214 districts who returned the questionnaire all but three offered Kansas history. A sketch of our survey results is included below.

1. 214 districts returned questionnaires (70%)
2. 139 (65% of 214) districts indicated that a course in Kansas History was offered.

Year Course	- 21 (15%)
Semester Course	- 72 (52%)
Quarter Course	- 40 (29%)
Other	- 12 (9%)

K- 3	- 0
4- 6	- 34 (24%)
7- 8	- 60 (43%)
9-12	- 47 (34%)

Several districts offered Kansas History at more than one level.

3. 124 (58% of 214) districts indicated that a UNIT of Kansas History was offered as a part of another course.

K- 3	- 80 (65%)
4- 6	- 117 (94%)
7- 8	- 86 (69%)
9-12	- 18 (15%)

Units at all levels ranged in length from 1 week to 12 weeks.

All but three districts offered Kansas History either as a separate course or as a unit within a course.

GWH/ed

*Attachment 4
House Education 2/17/88*